

IN RE: PETITION FOR ADMIN. VARIANCE
W/S George Avenue, 215' S of
Myrth Avenue
(624 George Avenue)
15th Election District
5th Councilmanic District

Armando DiBattista, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-346-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 624 George Avenue, located in the vicinity of Essex. The Petitioners seek relief from Sections 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 19 feet in lieu of the maximum permitted 15 feet for an existing accessory structure (garage) and proposed addition. The subject property and relief requested are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements

ORDER RECEIVED FOR FILING
Date 5/3/95
By [Signature]

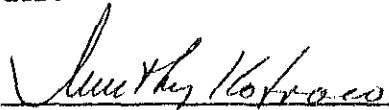
MICROFILMED

of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Sections 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 19 feet in lieu of the maximum permitted 15 feet for an existing accessory structure (garage) and proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Petitioner shall not allow or cause the accessory structure (garage) to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDERED FOR FILING
5/13/95
[Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 3, 1995

Mr. & Mrs. Armando DiBattista
624 George Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S George Avenue, 215' S of Myrth Avenue
(624 George Avenue)
15th Election District - 5th Councilmanic District
Armando DiBattista, et ux - Petitioners
Case No. 95-346-A

Dear Mr. & Mrs. DiBattista:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance

95-346-A

to the Zoning Commissioner of Baltimore County

for the property located at 624 GEORGE AVE.

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3

To allow an accessory structure (addition to the existing garage) with a height of 19 feet in lieu of the maximum permitted 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Back of Sheet

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

Mr. ARMANDO DiBATTISTA
(Type or Print Name)

Signature

Armando DiBattista
Signature

Address

Mrs. GRACE DiBATTISTA
(Type or Print Name)

City

State

Zipcode

Mrs. Grace DiBattista
Signature

Attorney for Petitioner

(Type or Print Name)

624 GEORGE AVE 686-8515
Address Phone No

Signature

BAITO MD 21221
City State Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City

State

Zipcode

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 4/5/95

ESTIMATED POSTING DATE: 4/16/95



Printed with Soybean Ink
on Recycled Paper

ITEM #: 345

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 624 George Ave
address
BALTO MD 21221
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Need more Room For Storage
For a big FAMILY Lawn Furniture
And Children Bikes And TOYS
we have 15 Grand Children.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Grace DiBattista
(signature)
GRACE DiBATTISTA
(type or print name)



Armando Di Battista
(signature)
ARMANDO DiBATTISTA
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of March, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland Grace DiBattista, Armando Di Battista

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-4-95
date

Arminette Wells
NOTARY PUBLIC

My Commission Expires:

ARMINETTE WELLS
NOTARY PUBLIC, BALTIMORE COUNTY, MARYLAND
My Commission Expires 11/11/99

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 624 George Ave
(address)

Beginning at a point on the West side of George Ave
(north, south, east or west) (name of

50 ft.
street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 215 South of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Myrtle Ave
(name of street)

which is 50 ft. wide. *Being Lot # 18,
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of ESSEX LANDA'S SUBD
(name of subdivision)

as recorded in Baltimore County Plat Book # 5, Folio # 52, containing

7,500. Also known as 624 George Ave 21221
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

#345

12. FEATURES: Location of streams, stormwater management systems, drainage pipe systems on or within 50 feet of the property, and the 100-year floodplain, if any. If not in the floodplain, note this on the plan.
13. B.O.C.A.: Buildings must meet the building code and fire code requirements with regard to type of construction, windows, setbacks, etc.
14. SPECIAL REQUIREMENTS: For special hearings on two-apartment dwellings, floor plans detailing each floor with room sizes and uses are required. For waterfront construction such as piers, ask for a copy of the waterfront construction checklist (available in Room 109).

ALL OF THE ABOVE INFORMATION MUST BE COMPLETE AND ACCURATE OR THE PETITION CANNOT BE ACCEPTED FOR FILING.

ZONING DESCRIPTION

624 GEORGE AVE

Beginning at a point on the south side of
 George St. which is 50' wide and is 275' ft
 from the center line of the nearest improved
 intersecting to the North, Myrtle Ave.
 Being lot 18 Being Block —
 Section — in the subdivision of
 as recorded in Baltimore County Plat
 Book # 5 To 10-52 containing 6500 sq
 ft. Also known as 624 George Ave
 and located in the 15th election district,
 5 councilmanic district.

#345

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

95-346-A

District 15th

Date of Posting 4/16/95

Posted for: Variance

Petitioner: Armando & Grace DiBattista

Location of property: 624 George Ave, W/S

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by W. M. Steyer

Signature

Date of return: 4/21/95

Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number _____

Date

APRIL 18, 1995

REVISION FEE
95-346-A

\$50.00

PAID

RECEIVED

APR 18 1995

RS 00114 10004-18 00

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date APRIL 5, 1995

Account: R-001-6150

Number # 345

TAKEN BY: JRF

DIBATTISTA -- 624 GEORGE AVE.

010 VARIANCE .. \$50.00

080 SIGN \$35.00

\$85.00

PAID BY: JRF

03A03#00033MICHRC

\$85.00

RA 0002:56PM04 05-95

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 345

Petitioner: Armando DiBATTISTA

Location: 624 GEORGE AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Armando DiBATTISTA

ADDRESS: 624 GEORGE AVE

BALTIMORE MARYLAND 21221

PHONE NUMBER: 410-686-8515

AJ:ggs

MICROFILMED

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-346-A (Item 345)
624 George Avenue
W/S George Avenue, 220' +/- S of c/l Myrth Avenue
15th Election District - 5th Councilmanic
Legal Owner: Armando DiBattista and Grace DiBattista

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Armando and Grace DiBattista



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 28, 1995

Mr. and Mrs. Armando DiBattista
624 George Avenue
Baltimore, Maryland 21221

RE: Item No.: 345
Case No.: 95-346-A
Petitioner: A. DiBattista, et ux

Dear Mr. and Mrs. DiBattista:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

Division Chief:

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345,
347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-14-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 345 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Joyce Watson
ZAC Comments

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/12/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341

344

345 ✓

348

349

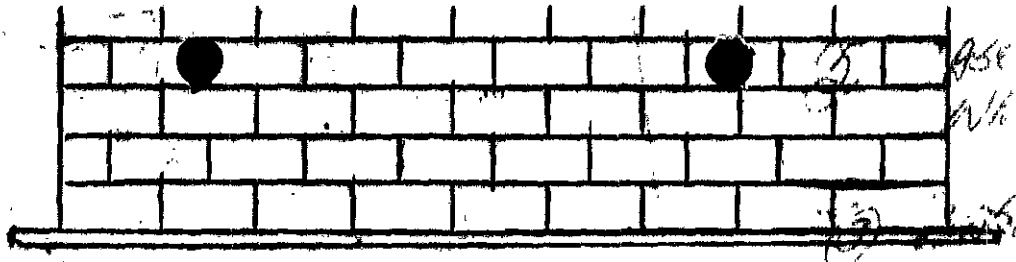
350

351

LS:sp

LETTY2/DEPRM/TXTSBP

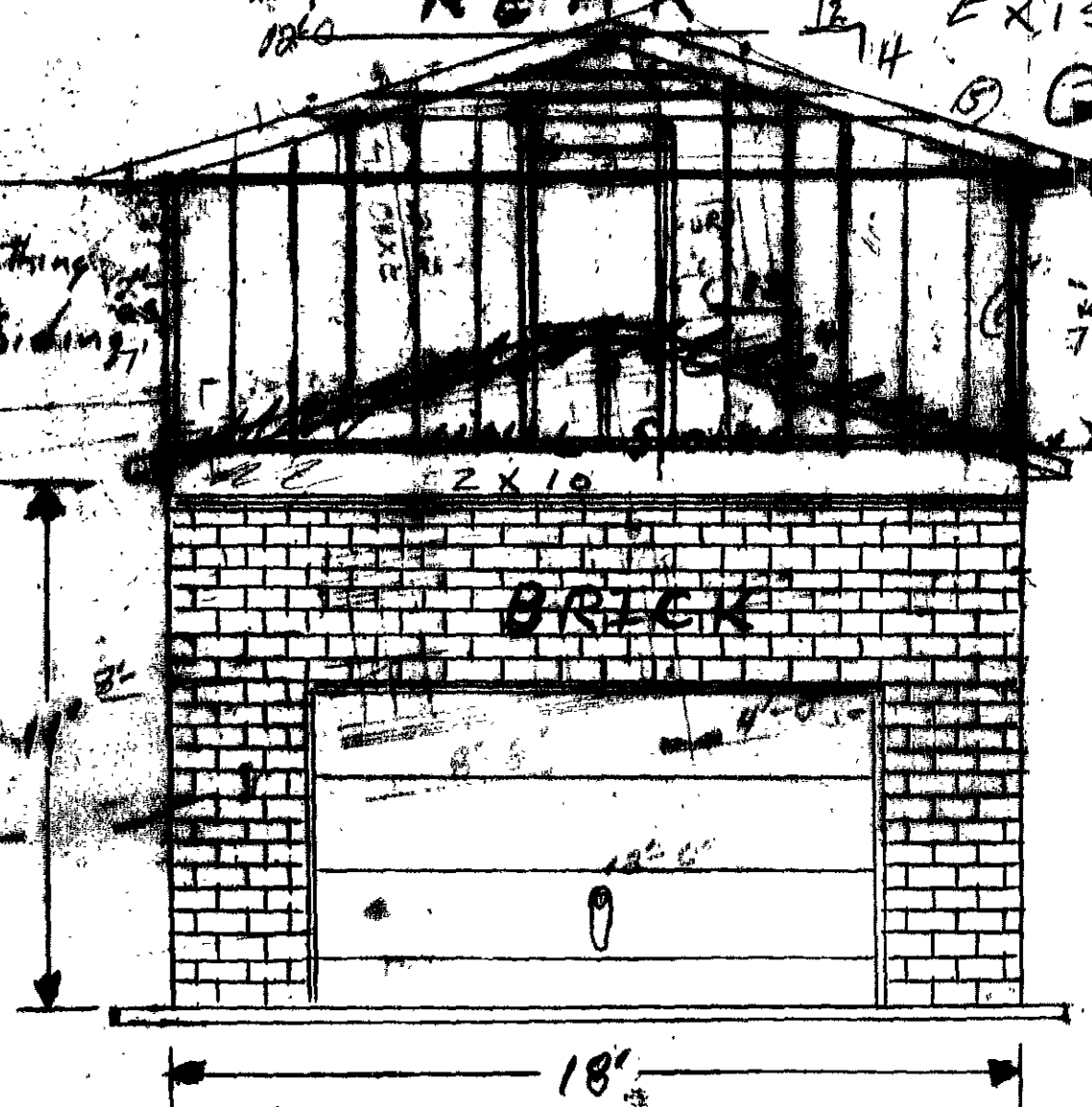
tion
e



Storage Addition
REAR Existing
Garage

Ply Sheathing
in siding

2x10



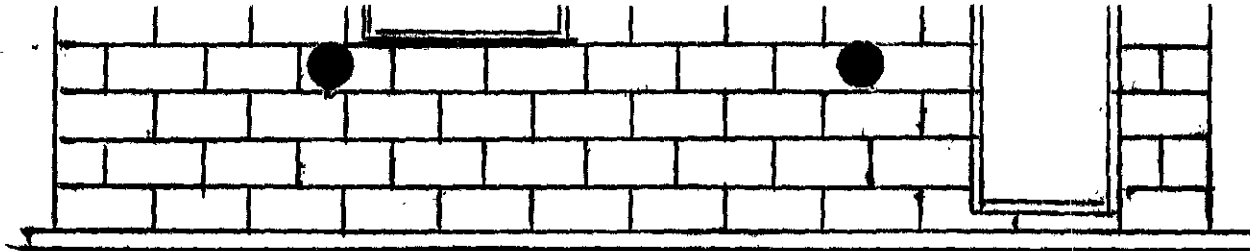
FRONT ELEV.

MICROFILM

#345

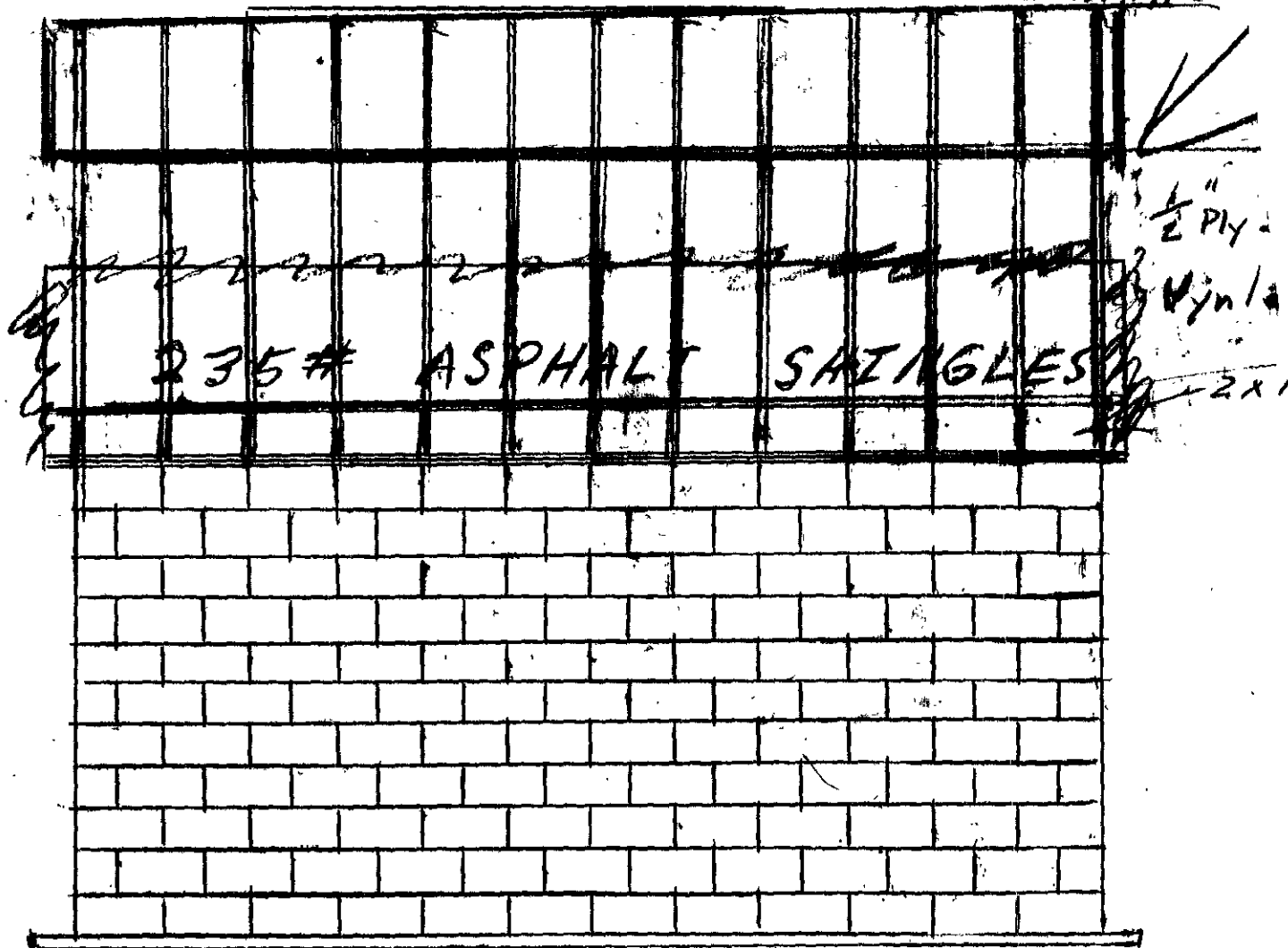
1/4" = 1'-0"

PG. 1 OF 1



24'

LEFT SIDE Asphalt Additi
Shingle



RIGHT SIDE

345

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

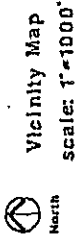
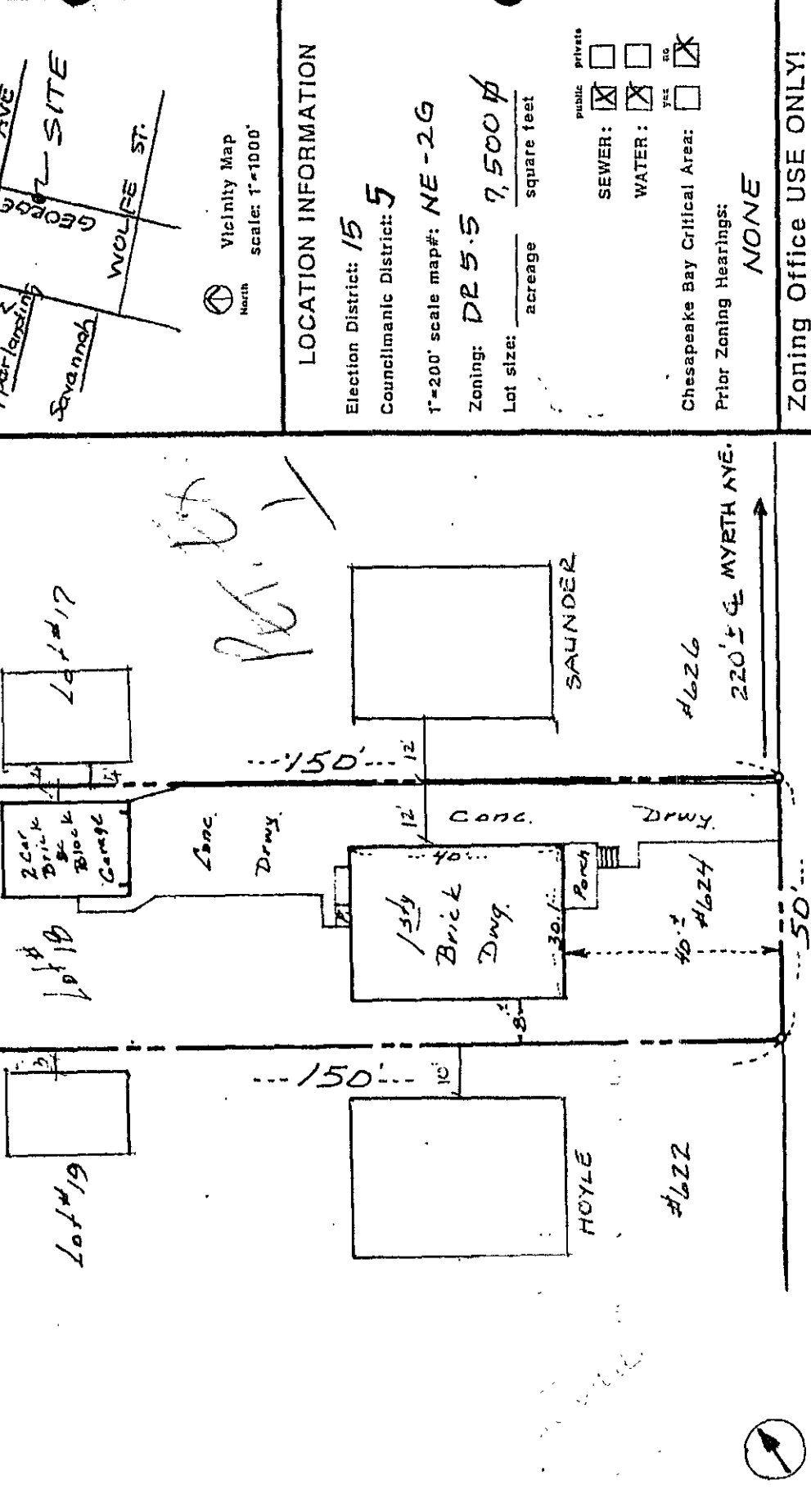
PROPERTY ADDRESS: 624 GEORGE AVE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: ESSEX LANDS SUBD. 95-346-A

plat book # 5, folio # 52, lot # 18, section # 7

OWNER: ARMANDO & GRACE DIBATHISTA Lot # 8

Lot # 9 Lot # 17



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: NE-2G

Zoning: DE 5.5

Lot size: 7,500 ^{acreage} square feet

public private
SEWER: ☒ ☐
WATER: ☒ ☐
Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JB ITEM #: 345 CASE#:

GEORGE AVE.

Scale of Drawing: 1"= 30'

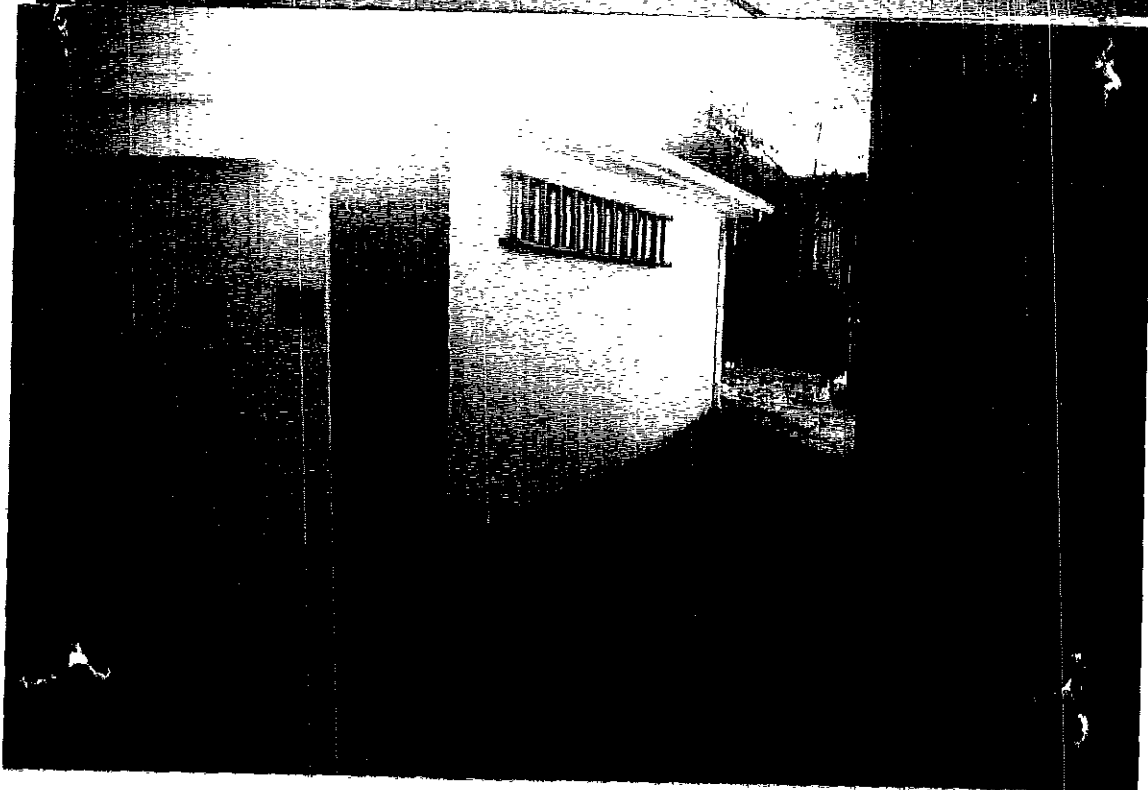
prepared by: ADB

North

date: 4/4/25

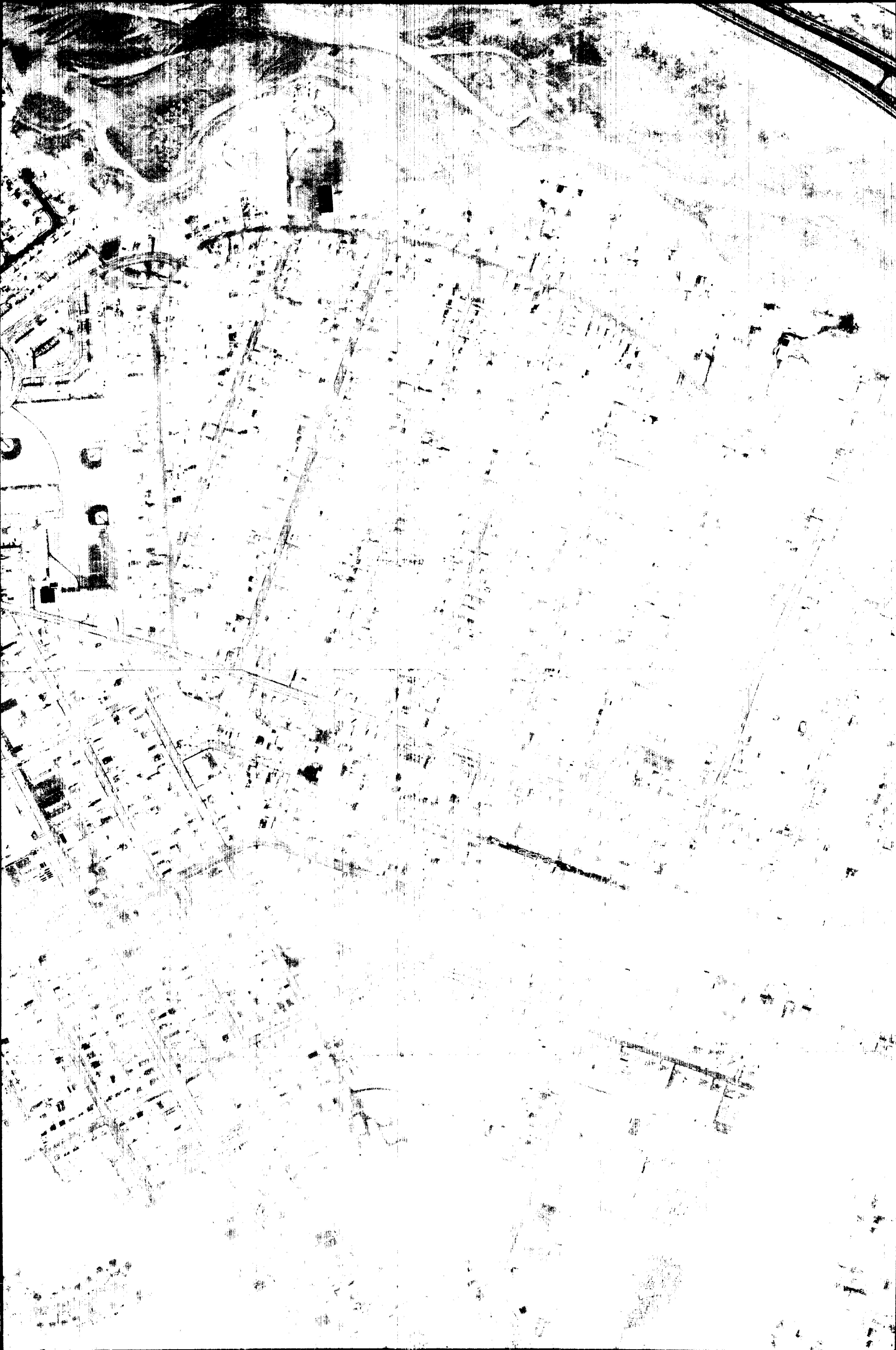
95-346-A

PETITIONER(S) EXHIBIT ()



WANT to add Storage ~~addition~~ on garage
ONLY addition

#345



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

345

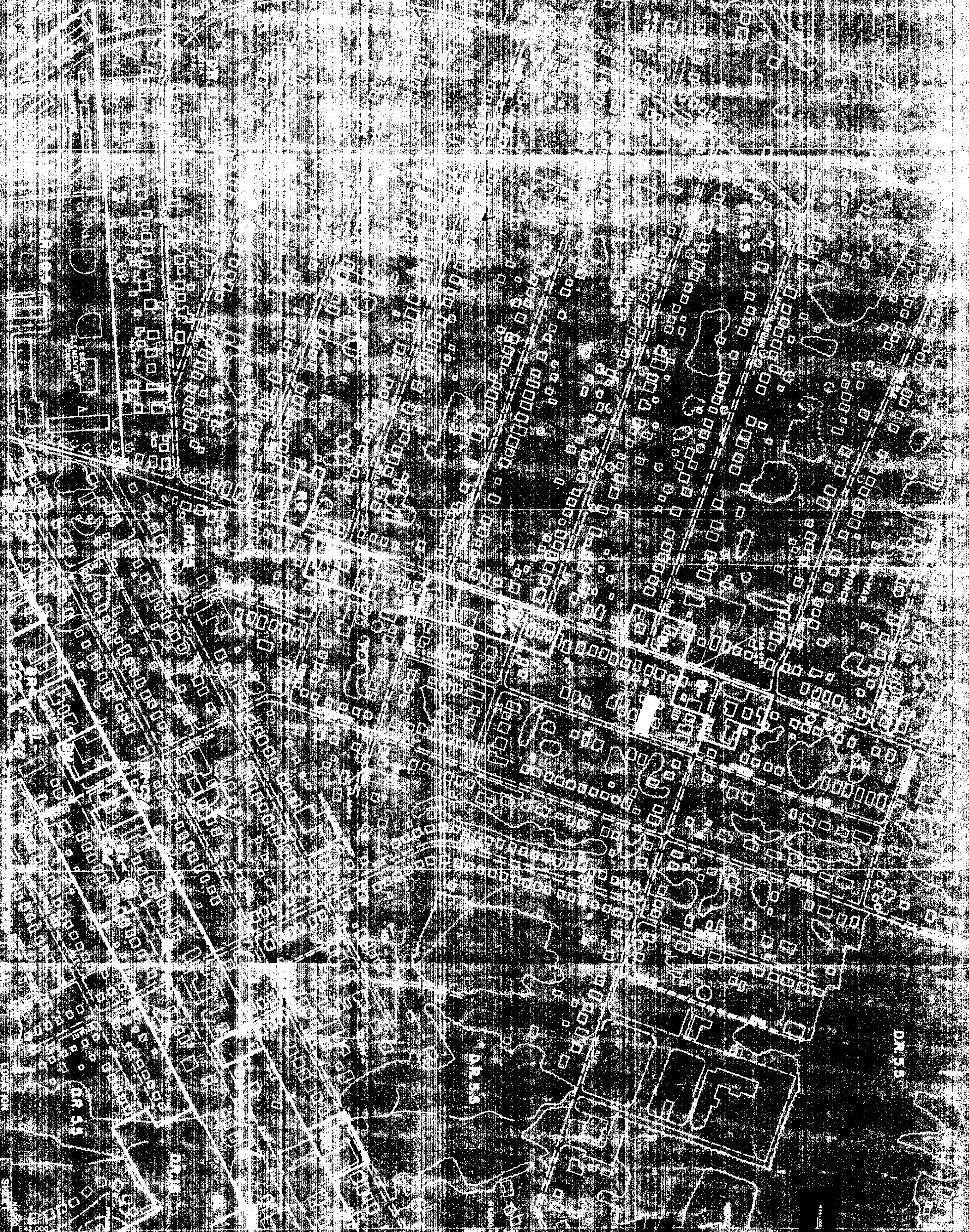
SCALE		LOCATION		SHEET	
1" = 200' ±		ESSEX		N.E.	
DATE OF PHOTOGRAPHY JANUARY 1986		MICROFILMED		2-6	

95-346-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

DATE OF PREPARATION	DATE OF REVISION
1958	1961
1962	1963
1964	1965
1966	1967
1968	1969
1970	1971
1972	1973
1974	1975
1976	1977
1978	1979
1980	1981
1982	1983
1984	1985
1986	1987
1988	1989
1990	1991
1992	1993
1994	1995
1996	1997
1998	1999
2000	2001
2002	2003
2004	2005
2006	2007
2008	2009
2010	2011
2012	2013
2014	2015
2016	2017
2018	2019
2020	2021
2022	2023
2024	2025

95-346-A



IN RE: PETITION FOR ADMIN. VARIANCE
W/S George Avenue, 215' S of
Myrtle Avenue
(624 George Avenue)
15th Election District
5th Councilmanic District
Armando DiBattista, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-346-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Sections 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a height of 19 feet in lieu of the maximum permitted 15 feet for an existing accessory structure (garage) and proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

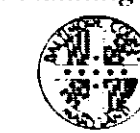
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- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

May 3, 1995

(410) 887-4386

Mr. & Mrs. Armando DiBattista
624 George Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S George Avenue, 215' S of Myrtle Avenue
(624 George Avenue)
15th Election District - 5th Councilmanic District
Armando DiBattista, et ux - Petitioners
Case No. 95-346-A

Dear Mr. & Mrs. DiBattista:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 624 GEORGE AVE.
which is presently zoned DR55

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3.

To allow an accessory structure (addition to the existing garage) with a height of 19 feet in lieu of the maximum permitted 15 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Back of Sheet

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s)
Name: Mr. Armando DiBattista
Signature: *Armando DiBattista*
Name: Mrs. Grace DiBattista
Signature: *Mrs. Grace DiBattista*
Address: 624 George Ave
City: BALTO State: MD Zip Code: 21221
Name: Armando DiBattista
Signature: *Armando DiBattista*
Address: 624 George Ave
City: BALTO State: MD Zip Code: 21221

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 3rd day of May, 1995, that the subject matter of this petition be set for a public hearing, advertised and held by the Zoning Department of Baltimore County, in two (2) pages of general circulation throughout Baltimore County, and that the decision be rendered.

REVIEWED BY: *JRP* DATE: 4/5/95
ESTIMATED POSTING DATE: 4/16/95

Printed with Soy-based Ink
on Recycled Paper

ITEM #: 345

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 624 GEORGE AVE
City: BALTO State: MD Zip Code: 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

NEED MORE ROOM FOR STORAGE
FOR A BIG FAMILY LAWN FURNITURE
AND GRAND CHILDREN BIKES AND
TOYS. WE HAVE 15 GRANDCHILDREN.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Armando DiBattista
ARMANDO DI BATTISTA
Grace DiBattista
GRACE DI BATTISTA

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 4th day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Armando DiBattista *Grace DiBattista*
Armando DiBattista Grace DiBattista

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

4-4-95

Antoinette Wells
NOTARY PUBLIC

My Commission Expires:

ANTOINETTE WELLS
NOTARY PUBLIC
My Commission Expires August 11, 1998

EXAMPLE 3 - Zoning Description - 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 624 GEORGE AVE
(address)
Beginning at a point on the WEST side of GEORGE AVE
(north, south, east or west) (name of street)
which is 50 FT.
(number of feet of right-of-way width)
street on which property fronts)
wide at the distance of 215 SOUTH of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street MYRTLE AVE
(name of street)
which is 50 FT. wide. "Being lot # 12."
(number of feet of right-of-way width)
Block 5, Section 2 in the subdivision of ESSEX LANDS 5480
(name of subdivision)
as recorded in Baltimore County Plat Book 5, Folio 52, containing
7.500 Also known as 624 GEORGE AVE 21221
(square feet or acres) (property address)
and located in the 15 Election District, 5 Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 5, Folio 52" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft. S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 00° 15' 22" W. 80 ft. to the place of beginning.

#345

CK/RESID (TXTSOPH)
REVISED 5/16/94

10

95-346-A

ZONING DESCRIPTION
624 GEORGE AVE
Beginning at a point on the south side of George St. which is 50' wide and is 275' ft. from the centerline of nearest improved intersecting to the North Myrtle Ave. Being lot 18. Being Block 5. Section 2 in the subdivision of as recorded in Baltimore County Plat Book 5. Folio 52 containing 7.500 sq. ft. Also known as 624 George Ave and located in the 15th election district, 5th councilmanic district.

receipt

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: B-001-6180
Number: _____

APRIL 18, 1995

REVISION FEE - \$50.00
95-346-A

6340380033MCHNC
PA 0271463000-10-95 \$50.00
Please Print Clearly Payable To Baltimore County

95-346-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 4/16/95
Posted for: Variance
Petitioner: Armando DiBattista
Location of property: 624 George Ave, Wt.
Location of Sign: Along the driveway, being 20' x 4'
Remarks: _____
Posted by: Matthew Squares Date of return: 4/21/95
Number of Signs: 1

APRIL 5, 1995

DIPATTISTA - 624 GEORGE AVE.

OID VARIANCE .. \$50.00
OID SIGN \$35.00
\$85.00

TAKEN BY: JRP

6340380033MCHNC
PA 0271463000-10-95 \$50.00
Please Print Clearly Payable To Baltimore County



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 345

Petitioner: ARMANDO DiBATTISTA

Location: 624 GEORGE AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ARMANDO DiBATTISTA

ADDRESS: 624 GEORGE AVE

BALTIMORE MARYLAND 21221

PHONE NUMBER: 410-626-2515

AJ:ggs

(Revised 04/9/93)



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-346-A (Item 345)
624 George Avenue
W/S George Avenue, 220' +/- S of c/l Myrth Avenue
15th Election District - 5th Councilmanic
Legal Owner: Armando DiBattista and Grace DiBattista

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a reminder regarding the administrative process.

1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

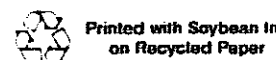
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Armando and Grace DiBattista



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 28, 1995

Mr. and Mrs. Armando DiBattista
624 George Avenue
Baltimore, Maryland 21221

RE: Item No.: 345
Case No.: 95-346-A
Petitioner: A. DiBattista, et ux

Dear Mr. and Mrs. DiBattista:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 5, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Kerns*

PK/JL

ITEM341/PZONE/ZAC1



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1103

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW Zoning Agenda:

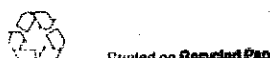
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345, 347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 345 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2255 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Joyce Watson
Joyce Watson
Baltimore County, Maryland

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4/12/95

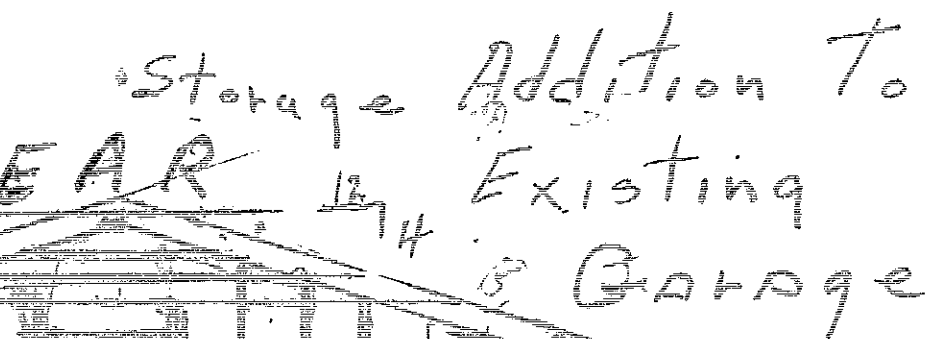
DATE: 4/28/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341
344
345
348
349
350
351

LS:sp

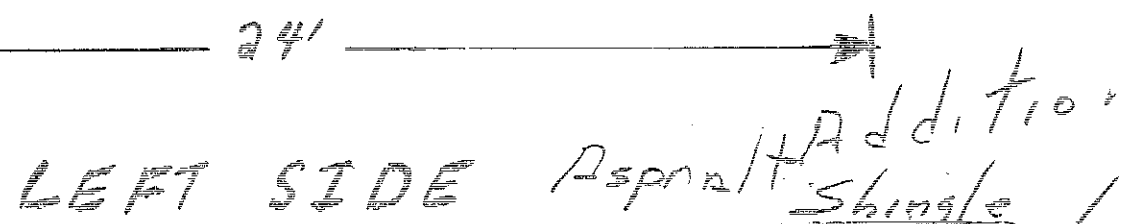
LETTY2/DEPRM/TXT5BP



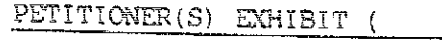
FRONT ELEV.

$$1/4" = 1' - 0"$$

PG. 1 OF 1

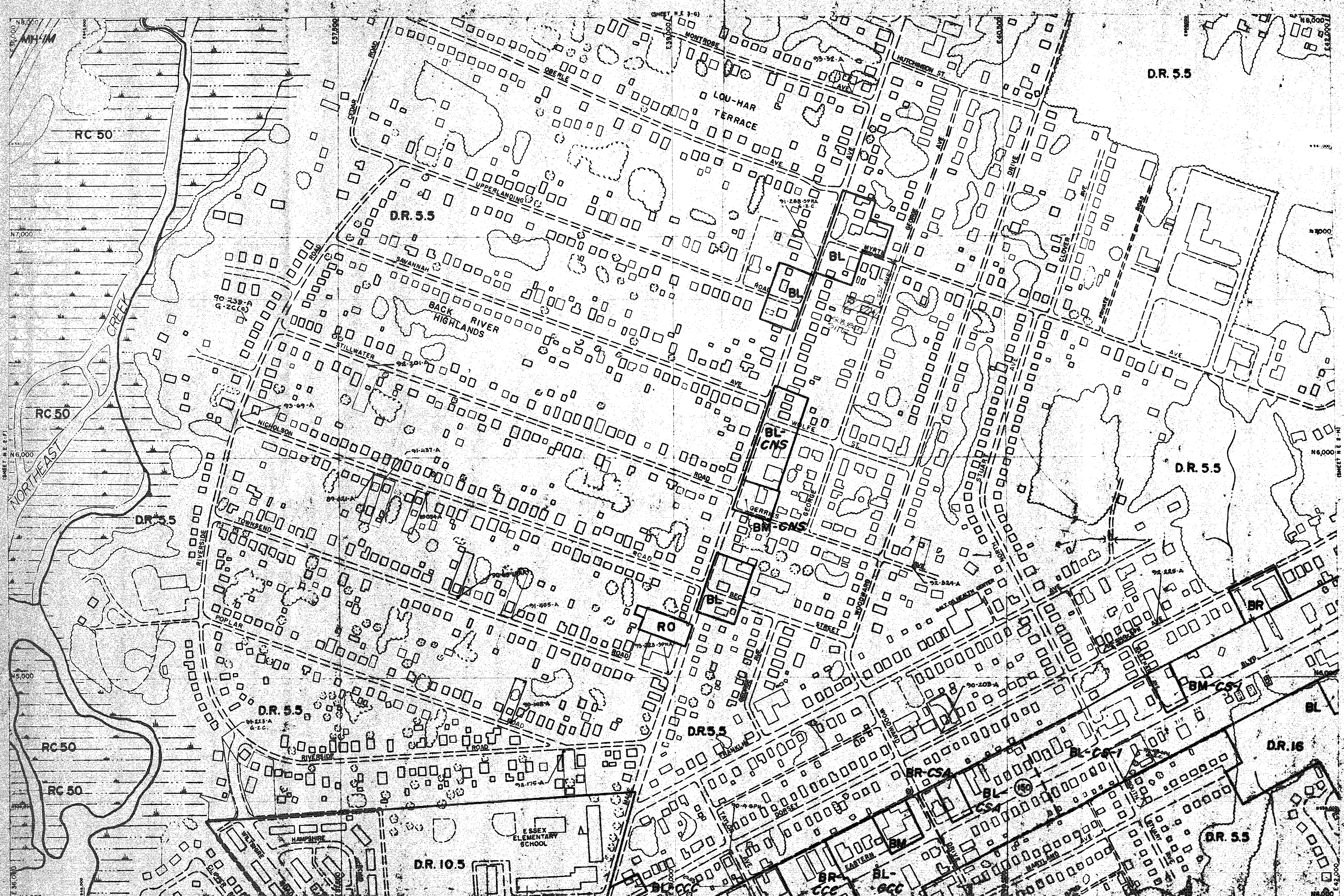


RIGHT SIDE



0014

3-15



1 - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

~~THIS COMPREHENSIVE ZONING MAP
ADOPTED BY THE BALTIMORE COUNTY COUNCIL
ON OCTOBER 15, 1992
REPLACES THE PREVIOUS ZONING MAP
ADOPTED BY THE BALTIMORE COUNTY COUNCIL
ON OCTOBER 15, 1992~~

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

Official Zoning Map
adopted by the Baltimore County Council
Oct. 15, 1992

William H. Anderson
Chairman, County Council

SCALE
1" = 200'

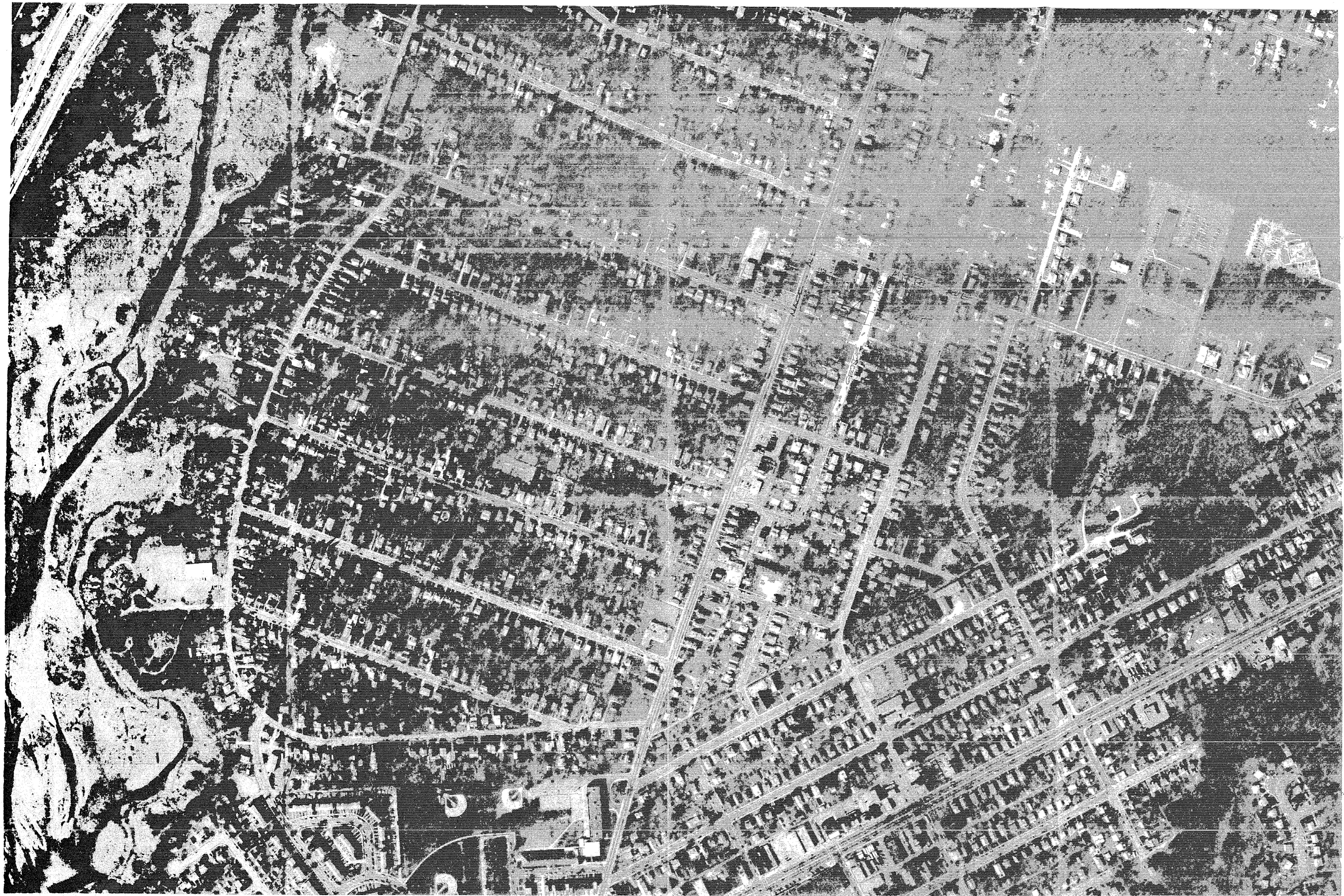
DATE
OF
PHOTOGRAPHY
JANUARY
1996

LOCATION

ESSEX

SHEET

95-346-A



95-346-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

345

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX	N.E. 2-6
DATE OF PHOTOGRAPHY JANUARY 1986		